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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,952	06/16/2005	Peter Robert Flux	UDL-168	3770
36822 7590 10/13/2010 GORDON & JACOBSON, P.C. 60 LONG RIDGE ROAD SUITE 407 STAMFORD, CT 06902			EXAMINER BRADFORD, CANDACE L	
			ART UNIT 3634	PAPER NUMBER
			MAIL DATE 10/13/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/517,952

Applicant(s)

FLUX, PETER ROBERT

Examiner

CANDACE L. BRADFORD

Art Unit

3634

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14, 15 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14, 15 and 17-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

The request filed on 2/4/10 for a Request for Continuing Examination (RCE) under 37 CFR 1.114 is acceptable and an RCE has been established. Any previous finality is hereby withdrawn and a new action on the merits follows. Any newly-submitted claims have been added. An action on the RCE follows.

Election/Restrictions

Applicant's election without traverse of Group I in the reply filed on 8/6/10 is acknowledged.

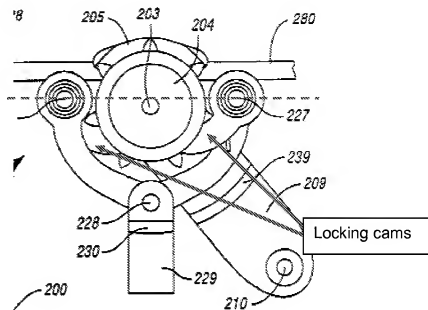
Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

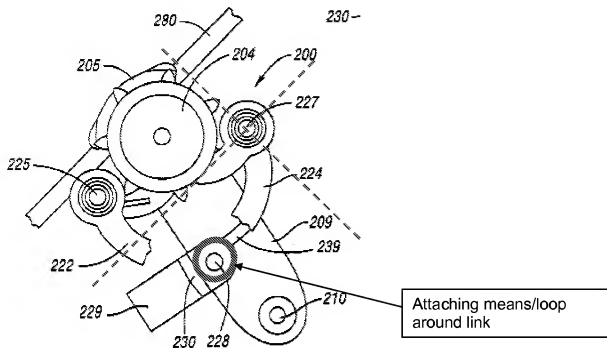
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al. discloses chassis, means having safety support retaining means to retain an elongate support whilst allowing movement of the device therealong, and including a sliding element 205, for slidably engaging said elongate support 280,



first and second locking cam means for locking the device to the elongate support in a fall arrest situation, first and second link means 222, 224 and attaching means 229, for attaching personal safety means to the device and transmitting a load from the personal safety means to said link means, in which said first and second locking cam means comprise respective first and second cam elements each arranged for rotation about a respective first axis relative to the chassis and able to move between a first locking position in which the cam element traps the elongate support 280, between itself and the sliding element and a second released position in which the cam element does not trap the elongate support the first and second link means each being connected to a respective one of the first and second cam elements for rotation about a respective second axis separated from the corresponding said first axis by a fixed offset defined by the respective cam element,



the first and second link means

being connected together for mutual rotation about a third axis separated from said first and second axes, and the attaching means being able to move relative to the link means, so that the first and second locking cam means can be moved between their first and second positions by loads applied to the device through the attaching means; in which each of the first and second link means comprises two parts arranged for reversible relative movement in response to an applied load from the attaching means above a predetermined value, the movement being such that a part of the link means intermediate said second and third axes descends relative to said second axis, as best seen in Figures 11 and 12.

Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 1, in which the cam means and link means are arranged so that said movement of the two parts of a

respective link means will move at least one of said locking cam means towards its first locking position, as best seen in Figure 11.

Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 1, in which the first and second locking cam elements are arranged for rotation relative to one another about a common first axis, as best seen in the marked-up figure above.

Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 3, in which the first and second locking cam elements means and said common first axis are arranged for rotation about a fourth axis spaced from and parallel to the common first axis, the fourth axis being located nearer than the common first axis to the sliding element, as best seen in Figure 12.

Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 4, in which the first and second locking cam means are arranged for rotation about a boss 204, which is arranged for rotation about the fourth axis.

Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 5, in which the chassis means includes at least one rotatable element 204, having a peripheral recess.

Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 6, in which the first and second locking cam elements means and said common first axis are arranged for

rotation about a fourth axis spaced from and parallel to the common first axis, the fourth axis being located nearer than the common first axis to the sliding element, and wherein the rotatable element is rotatable can rotate about the fourth axis, as best seen in Figure 12.

Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 1, in which the first and cam elements and first and second link means 222, 224, form a quadrilateral linkage defined by the first axis, the second axis for the first link means, the second axis for the second link means, and third axis, wherein the device can be configured in a first configuration and a second configuration wherein, in the first configuration, the first and second cam elements are in the first locking position and the first and third axes of the quadrilateral linkage are offset from one another by a first distance, and wherein, in the second configuration, the first and second cam elements are in the second released position and the first and third axes of the quadrilateral linkage are offset from one another by a second distance, the second distance being less than the first distance, as best seen in Figures 11 and 12.

Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in according to claim 8, in which the attaching means includes a loop passing around the link means so that the attaching means can transmit a load to the device by the loop bearing on a bearing surface of the link means, the bearing surface facing the interior of the quadrilateral linkage, as best seen in Figure 12.

Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 1, in which each link 222, 224, means comprises a first arm arranged for rotation about said respective second axis and a second arm arranged for rotation about said third axis, the first and second arms being connected for rotation about a fifth axis, said reversible relative movement being mutual rotation of the first and second arms about the said fifth axis.

Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 10, in which the attaching means includes a loop passing around the link means so that the attaching means can transmit a load to the device by the loop bearing on a concave bearing surface of the first arm of the respective link means.

Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 10, in which the attaching means 229, includes a loop passing around the link means so that the attaching means can transmit a load to the device by the loop bearing on a concave bearing surface of the second arm of the respective link means facing the interior of the quadrilateral linkage, and wherein the bearing surface of each second arm is concave, as best seen in the marked-up figure above.

Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in according to claim 10, in which the attaching means 229, includes a loop passing around the link means so that the attaching means can transmit a load to the device by the loop bearing on a bearing

surface of the link means facing the interior of the quadrilateral linkage, and wherein the load loads applied to the bearing surface of the link means surfaces of the first arms by the loop will urge at least one of the cam elements towards the first locking position, as best seen in the marked-up figure above.

Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in according to claim 14, and further comprising an element 228, limiting the movement of said loop so that it can only bear on predetermined bearing surfaces of the link means the beating surfaces of the first arms.

Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses chassis means having safety support retaining means to retain an elongate support whilst 280, allowing movement of the device therealong, and including a sliding element 205, for slidably engaging said elongate support, first and second locking cam, as best seen in the marked-up figure above, means for locking the device to the elongate support in a fall arrest situation, first and second link means 222, 224, and attaching means 229, for attaching personal safety means to the device and transmitting a load from the personal safety means to said link means, in which said first and second locking cam means comprise respective first and second cam elements each arranged for rotation about a respective first axis relative to the chassis and able to move between a first locking position in which the cam element traps the elongate support between itself and the sliding element and a second released position in which the cam element does not trap the elongate support; the first and

second link means each being connected to a respective one of the first and second cam elements for rotation about a respective second axis separated from the corresponding first axis, the first and second link means being connected together for rotation about a third axis separated from said first and second axes, and the attaching means being able to move relative to the link means, so that the first and second locking cam means can be moved between their first and second positions by loads applied to the device through the attaching means, in which the first and cam elements and first and second link means form a quadrilateral linkage defined by the first axis, the second axis for the first link means, the second axis for the second link means, and third axis; in which the device can be configured in a first configuration and a second configuration, wherein, in the first configuration, the first and second cam elements are in the first locking position and the first and third axes of the quadrilateral linkage are offset from one another by a first distance; and wherein, in the second configuration, the first and second cam elements are in the second released position and the first and third axes of the quadrilateral linkage are offset from one another by a second distance, the second distance being less than the first distance, as best seen in the marked-up figure above.

Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 17, in which the first and second cam elements are arranged for rotation relative to one another about a common first axis, as best seen in Figures 11 and 12.

Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 18, in which the first and second cam elements and said common first axis are arranged for rotation about a fourth axis spaced from and parallel to the common first axis, the fourth axis being located nearer than the common first axis to the sliding element 205.

Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 19, in which the first and second locking cam means are arranged for rotation about a boss which is arranged for rotation about the fourth axis, as best seen in Figure 12.

Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 18, in which the chassis means includes at least one rotatable element 204, having a peripheral recess.

Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 21, in which the first and second cam elements and said common first axis are arranged for rotation about a fourth axis spaced from and parallel to the common first axis, the fourth axis being located nearer than the common first axis to the sliding element, and wherein the rotatable element is rotatable about the fourth axis, as best seen in the marked-up figure above.

Claim 23 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 17, wherein the respective second axis of the first and second link means 22,224 is separated from the

corresponding first axis by a fixed offset defined by the respective cam element, as best seen in the marked-up figure above.

Claim 24 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 17, wherein the first and second link 222, 224, means each include two parts arranged for reversible relative movement in response to a load applied by the attaching means, as best seen in Figure 11 and 12.

Claim 25 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 24, in which the attaching means includes a loop passing around the link means so that the attaching means can transmit a load to the device by the loop bearing on a bearing surface of the link means, the bearing surface facing the interior of the quadrilateral linkage, as best seen in the marked-up figure above.

Claim 26 is rejected under 35 U.S.C. 102(b) as being anticipated by Renton et. al (6530454). Renton et. al discloses a device as claimed in claim 24, in which said first and second link 222, 224, means each comprise a first arm arranged for rotation about said respective second axis and a second arm arranged for rotation about said third axis, the first and second arms being connected for mutual rotation about a fifth axis, as best seen in the marked-up figure above.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CANDACE L. BRADFORD whose telephone number is (571)272-8967. The examiner can normally be reached on 9am until 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Mitchell can be reached on (571) 272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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October 8, 2010

